

Lehman Law Group

February 13, 2018

Via CM/ECF

Hon. George B. Daniels
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Miranda v. Bricklane Curry House Too Inc. (d/b/a Brick Lane Curry House) et al., No. 17 Civ. 07997*

I am counsel for the defendants in the above-captioned case. I write to provide the court with (1) an update on the current mediation, (2) request an adjournment of tomorrow's conference, and (3) withdraw the two pending motions to dismiss.

The parties met for mediation on January 12, 2018. During the mediation, it became clear that the sole individual defendant and the corporate entities had significant financial debts. Last week, I met with defendants' CPA and concluded that the best course of action for all defendants is to petition for bankruptcy. I am now in the process of working with the clients to hire a bankruptcy attorney in the next two weeks.

As a result, I requested yesterday that tomorrow's conference be adjourned for at least two weeks and hereby renew that request. I expect by the end of the motion the bankruptcy petition will be filed and the automatic stay will be imposed for all defendants.

Finally, in light of this planned action, I hereby withdraw the two motions to dismiss pending before the Court (ECF Nos. 24 & 31). The first motion was rendered moot when Plaintiff filed its First Amended Complaint. The second motion is pending but not fully briefed. In light of the above, Defendants do not wish for the Court or Plaintiff to spend additional resources and, thus, voluntarily withdraw the second motion.

Sincerely,
/s/ Brian Lehman
Brian Lehman
Lehman LG LLC
244 5th Ave., Suite B258
New York, NY 10001

Cc: All parties serve by CM/ECF